

Application No. 10/581,185
Amdt. Dated June 22, 2010
Responsive to Office action of March 24, 2010

REMARKS AND ARGUMENTS

In the subject Official action, there is an objection to the drawings, an objection to the specification and all nine pending claims are rejected as unpatentable. The objections to the drawings and to the specification are overcome by the foregoing amendments. The rejected claims are canceled and new claims 10 through 15 are presented.

DRAWING OBJECTION:

The drawings were objected to because they do not illustrate a heated pane controller having two heating stages with different heating power, as claimed in claim 9. Claim 9 has been canceled and no new claim recites such a controller. Accordingly, it is respectfully requested that the objection be withdrawn.

SPECIFICATION OBJECTION:

The specification was objected to because it does not contain an abstract. By the foregoing amendment, an abstract has been added to the specification. Accordingly, it is submitted that the objection has been overcome.

CLAIM REJECTIONS:

Original claim 1 was rejected as unpatentable under 35 U.S.C. §102(b) as being anticipated by US Patent No. 6,914,224 (Gillner et al.). Claims 1 through 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gillner et al. in view of DE 2960607. Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gillner et al. in view of DE 2960607 and further in view of US Patent No. 6,320,159 (Topp). The rejected claims have all been canceled, making these rejections moot. However, the new claims include several features from the

Application No. 10/581,185
Amdt. Dated June 22, 2010
Responsive to Office action of March 24, 2010

canceled claims and so the bases for the patentability of the new independent claims 10 and 14 over these references will now be discussed.

Claim 10 is directed to a heatable glass pane comprising (a) two contact busbars for connection to voltage source poles of different polarity and (b) a set of heating wires which are in electrical contact with the said two contact busbars. The busbars are located parallel to a base edge of the glass pane. Unlike prior art heatable glass panes, including the ones disclosed in Gillner et al. and DE 296 06 071 (Topp does not disclose a bus bar but discloses a single heating wire), the busbars in the glass pane of the invention are located essentially in a line in their longitudinal direction, spaced apart a short distance from one another. In contrast, the bus bars disclosed in Gillner et al. are arranged not in "a line" but in two parallel lines right next to each other. In DE 296 06 071, two parallel bus bars 25 and 26 are illustrated in Fig. 3 while Figs. 1, 2, 4 and 5 illustrate "lengths of copper foil"¹ (5 and 6 in Fig. 1; 15 and 16 in Fig. 2; 35 and 36 in Fig. 4; and 45 and 46 in Fig. 5) which appear to serve to electrically connect the heating wires to a source of current. Not one Fig. in DE 296 06 071 illustrates two busbars located parallel to a base edge of the glass pane and located essentially in a line. Claim 10, therefore, is not anticipated by Gillner et al. or by DE 296 06 071. (Topp doesn't anticipate claim 10, either, because it discloses a single heating wire and does not appear to disclose anything corresponding with a busbar.) Accordingly, claim 10 defines a novel invention. Claim 14 includes the same limitations regarding the busbars as claim 10 so claim 14 also defines a novel invention. These

¹ Quoting a machine translation of an EP publication of an application corresponding with DE 296 06 071

Application No. 10/581,185
Amtd. Dated June 22, 2010
Responsive to Office action of March 24, 2010

features of the claimed inventions lead to some advantages including the one mentioned on page 3, lines 11 et seq., namely, that points of intersection between the contact busbars and the heating wires can be avoided. Gillen et al. specifically discloses such an intersection 31 at which electrical contact between a heating wire and a bus bar must be prevented.

The arrangement of the contact busbars spelled out in claims 10 and 14 further provides for uniform heating when the heating wire lengths are essentially the same. Claims 10 and 14 also recite that the heating wires have essentially the same lengths.

Turning now to §103, considering the previously mentioned differences between the inventions claimed in claims 10 and 14, on the one hand, and the prior art, on the other hand, the inventions of claims 10 and 14, as a whole, would not have been obvious to a person of ordinary skill in the art of heated glass window panes when the inventions were made. Accordingly, it is submitted that independent claims 10 and 14, along with dependent claims 11 through 13 and 15, are patentable for these reasons.

Claims 11 and 15 recite, *inter alia*, that the heating wires consist of an outermost heating wire connected to opposite ends of the contact busbars, and a plurality of inner heating wires with at least one compensation loop. These two limitations serve to further distinguish the claimed invention from the prior art.

In sum, new independent claims 10 and 14 define patentable inventions. The objections made in the subject office action have been addressed and it is believed that the subject application, amended as requested above, is in condition for allowance. Early notice to that effect is earnestly requested.

Application No. 10/581,185
Amdt. Dated June 22, 2010
Responsive to Office action of March 24, 2010

Favorable action is respectfully solicited.

Respectfully submitted,



David C. Purdue,
Registration No. 31,412

DCPurdue
Purdue Law Offices, LLC
2735 N Holland-Sylvania Rd, Suite B-2
Toledo, OH 43615
Telephone: (419) 531-0599
Facsimile: (419) 531-0362

Page 9 of 9